

**Amendments to the Drawings:**

The attached drawing sheet replaces the original FIG. 2. Formal drawings are submitted herewith under separate Letter to the Draftsperson which incorporate the changes required by the Examiner. Specifically, Applicants have identified unit 11 as "Processing Unit," unit 12 as "Input Device," unit 14 as "Keyboard," and unit 16 as "Input Port" (for these identified units, see, e.g., Applicants' specification p. 20). Applicants respectfully submit that no new matter has been added. Approval by the Examiner is respectfully requested.

Attachment: Replacement Figure 2

## **REMARKS**

### **Status**

This Amendment is responsive to the Office Action dated October 6, 2005, in which Claims 1-39 were rejected. Claims 3, 6, 12, 20, 25, and 32 have been amended. Accordingly, Claims 1-39 are pending in the application, and are presented for reconsideration and allowance.

### **Form PTO-1449**

Applicants thank the Examiner for considering the references cited in Applicants' Form PTO-1449. However, Applicants' are returning the Form PTO-1449 to the Examiner for consideration of the three references cited under "Other Art." Applicants are uncertain as to whether these references were considered during examination, as no initials are present in this section of the Form.

### **Specification**

Applicants, at the request of the Examiner, have amended the title to be more particularly indicative of the invention to which the Claims are directed.

In addition, Applicants have replaced the paragraph beginning on page 17, line 29 with a rewritten paragraph to correct typographical errors. Applicants respectfully submit that no new matter has been added.

### **Drawings**

Applicants have replaced Figure 2 with a corrected version which has the proper labels for units 11, 12, 14, and 16 as described in Applicants' specification. No new matter has been added.

### **Claim Objections**

Claims 3, 12, 20, 25, and 32 were objected to by the Examiner for various informalities. Applicants have amended these Claims to correct these typographical errors and informalities, thus placing these Claims in condition for allowance. Withdrawal of these objections is respectfully requested.

### **Claim Rejection - 35 U.S.C. § 112**

Claims 36 and 37 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Claim 36 further comprises “a software application” in addition to the features of Claim 30. Applicants submit that the software application may be included with the “at least one MPEG bitstream” and the “a plurality of digital image files” on the recordable optical disc. As indicated in Applicants’ specification, in addition to digital images, the multimedia disc may contain PC-based software applications. *See, e.g.*, page 3, lines 27-30. The software application may be an application such as a computer game. Thus, a single multimedia disc may comprise both the software application and the multimedia digital graphics album. *See, e.g.*, page 6, lines 17-25. Moreover, Figures 1a and 1b provide flow diagrams of methods in accordance with Applicants’ invention for the authoring of a multimedia enabled disc comprising computer-based content and a multimedia digital graphics album. The computer-based content can include original content, digital images which are not employed in the album, and/or a computer application.

Claim 37 further comprises a “computer file structure” in addition to the features of Claim 30. As described in Applicants’ specification, *inter alia*, the disc may be configured as a normal compact disc so that it can be viewed and manipulated on a personal computer as well as being used as a VCD, SVCD, or DVD. Accordingly, for a VCD, a normal CD-ROM file structure with high-resolution images and other software applications (for example, as provided with a Kodak Picture CD) is included as in a standard compact disc so that the digital still images included in the MPEG bitstream can also be accessed as JPEG files so that they can be viewed and manipulated on a personal computer. *See, e.g.*, page 15, lines 24-31.

Applicants respectfully submit that, for the above reasons, Claims 36 and 37 are not indefinite, and withdrawal of the rejections is respectfully requested.

**Claim Rejection - 35 U.S.C. § 102**

Claims 1-2, 4-5, 7, 9-10, 12-14, 23-24, 26-27, 30-31, 33-34, 36-37 and 38-39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,856,760 to Takahashi et al. (hereinafter, *Takahashi*). This rejection is respectfully traversed.

Regarding Claim 1, Applicants respectfully submit that *Takahashi* neither discloses “selecting a plurality of digital still images” nor “selecting an audio clip.” *Takahashi* relates to an apparatus and a method for reproducing both moving and still pictures. *See*, col. 2, lines 30-48. The passages of *Takahashi* at col. 5, lines 57-60 and col. 6, lines 1-9 (as cited by the Office Action) do not show selecting. Rather, *Takahashi* indicates capturing images with a CCD by converting light into electrical signals, as well as storing and compressing these images. Applicants submit that there is no selection being performed, because the apparatus is always performing this task.

As shown and described, for example, in Applicants’ specification and Figures 1a-1b, selection of digital still images may be performed for inclusion in a multimedia graphics album. These images may be provided from a variety of sources (represented in FIG. 2 as images 18). While such images may be taken with a digital camera, a digital still image may be acquired for an image taken with photographic film wherein the image is printed, scanned, and converted to digital format. Images 18 of system 10 (FIG. 2) could include an image database. The database may have images which are theme specific (e.g., scenes from a wedding, birthday party, baby birth, graduation, etc.) or images of a regional interest (e.g., scenery of popular tourist attractions, national monuments, national parks, historic sites, etc.). In addition, the images may be selected from other sources available by means of the Internet, network, or other systems. *See, e.g.*, page 8, lines 17-30.

Moreover, *Takahashi* does not show or describe selecting an audio clip. Rather, *Takahashi* merely describes capturing sound from a microphone to form a signal, and then converting the signal into a digital signal. There is no selection – *Takahashi* merely relates to capturing sound from a microphone. In contrast, as described in Applicants’ specification, audio material may be

included on the multimedia disc (see Figure 2 as audio 20). As with images 18, audio 20 can be selected for various sources. For example, a system in accordance with the present invention may include an audio database having a plurality of audio clips with different genres such as light music, classical, rock, and theme-specific (e.g., music suitable for wedding, birthday party, baby birth, graduation, etc.). Moreover, system 10 may utilize input port 16 to provide means to permit the input of audio in digital form, for example, from a memory card, flash card, or other similar device. In addition, the audio material may be selected from other sources available by means of the Internet, network, or other systems. Furthermore, the audio database may comprise voice clips.

Applicants respectfully submit that *Takahashi* does not teach or suggest all of the elements of Claim 1. Claims 2-14 are dependent on Claim 1 and therefore include all the features thereof. For the reasons set forth above with regard to Claim 1, Claims 2-14 are believed to be patentable.

The same arguments set forth above with regard to Claim 1 are equally applicable with respect to the rejections of independent claims 23, 30, 38, and 39. Claims 24-28, which depend from Claim 23 and include all of the features thereof, are also believed to be patentable. Claims 31-37 are dependent on Claim 30 and therefore include all of the features thereof, are believed to be patentable.

### **Claim Rejection - 35 U.S.C. § 103**

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi* in view of U.S. Patent No. 6,188,730 to Ngai (hereinafter, *Ngai*). Applicants respectfully submit that Claim 3 is dependent from Claim 1 and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 3 is also believe to be patentable. Moreover, *Ngai* fails to make up for the deficiencies of *Takahashi*. Thus, Applicants respectfully submit that Claim 3 is in condition for allowance.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi*. Applicants have amended Claim 6 in order to further clarify and particularly point out Applicants' invention by adding the feature of generating a composite image comprising at least one of the selected

still images and the selected background image. Support for this amendment may be found, *e.g.*, at item 112 of FIG. 3. Furthermore, Claim 6 is dependent on Claim 1 and therefore includes all of the features thereof. For the reasons set forth above with regard to Claim 1, Claim 6 is also believed to be patentable.

Claim 8 stands rejected under 35 U.S.C. § 103(a) over *Takahashi* in view of U.S. Patent No. 6,400,886 to Brewer (hereinafter, *Brewer*). Claim 8 is dependent on Claim 1 and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 8 is also believed to be patentable. Applicants further submit that *Brewer* fails to make up for the deficiencies of *Takahashi*, and Applicants therefore believe that Claim 8 is patentable.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi*. Claim 11 is dependent on Claim 1 and therefore includes all the features thereof. For the reasons set forth regard to Claim 1, Applicants believe that Claim 11 are allowable. Furthermore, the Office Action takes Official Notice that “it is well known in the art to record images compatible for SVCD using a DVD drive.” Office Action, page 7. Applicants submit that at the time of filing, it was not “well known” to record images compatible for SVCD, which is a CD-based format, using a DVD drive (which is an entirely different format from the CD-based SVCD). Therefore, Applicants respectfully request that the Examiner provide documentary evidence to support this conclusion. *See*, M.P.E.P. § 2144.04.

Claims 15, 17-22, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi* in view of *Ngai*. Applicants respectfully submit that the same arguments set forth above for Claim 1 are equally applicable with respect to Claims 15 and 29. As such, Claims 15 and 29 are believed to be patentable. In addition to these reasons, Applicants respectfully submit that neither *Takahaski* nor *Ngai*, whether taken alone or in combination, show or suggest selection of audio clips from an audio database or video clips from a video database. In contrast, system 10 (FIG. 2) in accordance with Applicants’ invention may include a video database. The database could comprise a plurality of video clips which are theme-specific, for example scenes from a wedding, birthday party, baby birth, and graduation. *See, e.g.*, page 10, lines 1-10.

*Takahashi* merely illustrates capturing images and storing them, not selecting video clips from a database. Moreover, as described above, Applicants' audio database may have a plurality of audio clips that can be selected with different genres such as light music, classical, rock, and theme-specific (e.g., music suitable for wedding, birthday party, baby birth, graduation, etc.). Again, *Takahashi* merely describes collection of audio with a microphone, and does not show or describe selection of audio clips from an audio database. Applicants submit that Claims 17-22 are dependent on Claim 15 and therefore include all the features thereof. For at least the reasons set forth above with regard to Claim 15, Claims 17-22 are also believed to be patentable.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi* in view of *Ngai* and further in view of *Brewer*. Claim 16 is dependent on Claim 15 and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 15, Claim 16 is also believed to be patentable. Moreover, Applicants respectfully submit that *Brewer* fails to make up for the deficiencies of *Takahashi* and *Ngai*, and thus submit that Claim 16 is in condition for allowance.

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi* in view of *Ngai*. Applicants submit that Claim 25 is dependent upon Claim 23 and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 23, Claim 25 is also believed to be patentable.

Claims 28 and 35 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi*. Claim 28 is dependent on Claim 23, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 23, Claim 28 is believed to be patentable. Claim 35 is dependent on Claim 30 and therefore includes all of the features thereof. For the reasons set forth above with regard to Claim 30, Applicants believe that Claim 35 is in condition for allowance.

### **Summary**

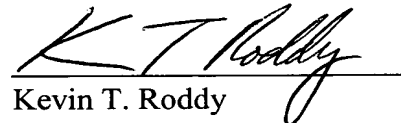
Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is

requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "K T Roddy", is written over a horizontal line.

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Enclosures:

Replacement Figure 2; and  
Form PTO-1449.